

**ADJOURNED CITY COUNCIL MEETING
CITY OF WATERTOWN
June 11, 2012
6:30 p.m.**

Mayor Jeffrey E. Graham Presiding

Present: Council Member Roxanne M. Burns
Council Member Joseph M. Butler, Jr.
Council Member Teresa R. Macaluso
Council Member Jeffrey M. Smith
Mayor Graham

Also Present: Robert J. Slye, City Attorney

Absent: John C. Krol, City Manager

City staff present: Jim Mills, Ken Mix, Elliott Nelson, Erin Gardner, Celia Cook

The City Manager presented the following reports to Council:

- Resolution No. 1 - Authorizing Public Auction for Sale of City Owned Property
- Franchise Agreement Between City of Watertown and 1000 Islands Privateers

Complete Reports on file in the office of the City Clerk

The meeting opened with a moment of silence in honor of Alan Harris, a member of the City Planning Board, who passed away this past weekend.

Council Member Burns wished to have a moment of silence for Ida E. Alteri who recently passed away. Her husband was a Council Member for several years, she said.

The Pledge of Allegiance was given.

RESOLUTIONS

Resolution No. 1 - Authorizing Public Auction for Sale of City Owned Property

Introduced by Council Member Roxanne M. Burns

WHEREAS the City of Watertown owns certain lots of land acquired at Tax Sale and designated on the map of the Department of Assessment and Taxation of the City of Watertown, New York as follows:

<u>Parcel Number</u>	<u>Address</u>
01-16-412.000	522 Mohawk Street

And,

WHEREAS title said land has been retained by the City of Watertown, and

WHEREAS the City Council deems the properties to be excess and not required for any City purposes, and

WHEREAS the City Council desires to ensure that properties such as those listed above be brought into compliance with all applicable provisions of the New York State Fire Prevention and Building Code and all City of Watertown zoning and health codes within one (1) year of their sale to subsequent buyers,

NOW THEREFORE BE IT RESOLVED that pursuant to Section 23, Subdivision (b) of the General City Law, Section 247 of the Charter of the City of Watertown as amended by Local Law No. 1, 1985, adopted December 3, 1984, effective January 17, 1985, and the ordinance, Municipal Code, Chapter 13 adopted by the Council, on June 6, 1977, the Comptroller of the City of Watertown be and he hereby is authorized to publish a Notice of Sale of the parcels of land above mentioned once a week for three (3) consecutive weeks in the official newspaper of the City of Watertown to the effect that said parcels of land will, at 10:00 a.m. on the 9th day of July, 2012, in the 3rd Floor City Council Chambers in the Municipal Building, 245 Washington Street, be offered individually for sale to the highest bidder and there present, under the conditions herein set forth:

The aforesaid parcels are conveyed, together with all rights and privileges affecting the same, and also together with all buildings, improvements and appurtenances located upon said described parcels, and

BE IT FURTHER RESOLVED that the City Comptroller be and he hereby is authorized to accept bids for said parcels, in an amount not less than the minimum price set below, subject to the rights of the said City Council to reject any and all bids, and

<u>Parcel Number</u>	<u>Address</u>	<u>Minimum Bid</u>
01-16-412.000	522 Mohawk Street	\$ 2,000

BE IT FURTHER RESOLVED that the highest bidder deposit at least 10 percent (10%) of the bid price at the same time of each said successful bid with the City Comptroller, and

BE IT FURTHER RESOLVED that said parcels of land shall be then sold to the successful bidder for cash or certified funds only, and

BE IT FURTHER RESOLVED that the Notice of Sale, any offer to purchase, and any deed issued by the City contain a provision that if the property sold is not brought into compliance with all applicable provisions of the State Fire Prevention and Building Code and all City of Watertown zoning and health codes within one (1) year of the City's delivery of the deed to the buyer, the City shall have the right to seek reversion of title to the City, and

BE IT FURTHER RESOLVED that the said bids shall be submitted to the Mayor and City Council for their approval or rejection, and

BE IT FURTHER RESOLVED that the City reserves the right to withdraw any parcel prior to the public sale of said parcels.

Seconded by Council Member Jeffrey M. Smith and carried with all voting yea.

Prior to the vote on the resolution, Mayor Graham asked if this would set the minimum purchase price at \$2,000.

Mr. Mills replied that was one idea but Council can change the amount.

Mayor Graham noted that was the offer amount asked for from the neighbors anyway.

Resolution No. 2 – Approving Franchise Agreement, 1000 Islands Privateers, LLC

Introduced by Council Member Jeffrey M. Smith

WHEREAS the City of Watertown owns and operates a facility known as the Watertown Municipal Arena, a community recreational facility, and

WHEREAS the City of Watertown desires to promote recreational activities at the Watertown Municipal Arena for the valid public purpose of the benefit, recreation, entertainment, amusement, convenience and welfare of the people of the City, and

WHEREAS in pursuit of that valid public purpose, the City of Watertown desires to enter into a Franchise Agreement with the 1000 Islands Privateers, LLC, and

WHEREAS the 1000 Islands Privateers, LLC owns and operates a semi-professional hockey team, as a member and franchise of the Federal Hockey League, and

WHEREAS the 1000 Islands Privateers, LLC desires to enter into a Franchise Agreement with the City of Watertown to have its team play hockey games within the confines of the Watertown Municipal Arena,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves the Franchise Agreement between the City and the 1000 Islands Privateers, a copy of which is attached hereto and made part of this resolution, and

BE IT FURTHER RESOLVED that City Manager John C. Krol is hereby authorized and directed to execute the Franchise Agreement on behalf of the City of Watertown.

Seconded by Council Member Roxanne M. Burns and carried with all voting yea.

Rules were waived by motion of Council Member Jeffrey M. Smith, seconded by Council Member Roxanne M. Burns and carried with all voting in favor thereof.

Prior to the vote on the Resolution, Mayor Graham noted that the appropriate department heads are present as well as the City Attorney and a representative of the Privateers to answer any questions. The Mayor asked if Attorney Slye was pleased with the contract.

Attorney Slye replied the contract is legally sufficient and he has no problems with it.

Council Member Butler stated he had some questions with regard to the agreement. He asked if someone could summarize the changes that were negotiated and passed at this point. As he understands it, he said, security is one of the major changes because it would now be controlled by the Parks and Recreation Superintendent who would determine how many security guards would be at an event.

Attorney Slye noted this does not call for Ms. Gardner to tell how many should be present, but it does permit her to identify that what was utilized in the past was insufficient. He added that he does not want the City to be in the business of mandating how many security guards are utilized but rather Ms. Gardner would be able to report whether enough security has been provided for a particular event.

Council Member Butler said the other issue is in regard to being able to access the arena around the clock.

Attorney Slye commented that the Privateers do not have a lease, they have a franchise and to the extent they need access to the arena, if it is after hours, they will have to call someone on overtime. He said this agreement requires the Privateers to reimburse the City for that overtime.

Council Member Butler mentioned that at some point there was discussion of a renewal.

Attorney Slye said the City spoke with Ms. Kirnan and in order to have an option to renew there must be specific terms under which the Privateers would be willing to renew. He said if the Privateers wish to have a contract for the following year they should submit it as soon as possible to start negotiations.

Council Member Butler said he had some reservations about this agreement. He said he has received phone calls from people who have spoken favorably about the potential and those who are not in favor of it. He noted that there are risks for both parties involved; for the City the risk is alienating the long-time arena users at the risk of taking on a new relationship. There is a lot of potential, too, he said, referring to drawing bigger crowds and the economic boost to the area. Despite the reservations, Council Member Butler said he is willing to proceed with a short-term deal.

Council Member Macaluso commented that she agreed with Council Member Butler. She said Ms. Kirnan answered a lot of questions Council had posed but that she has reservations about the agreement. Council Member Macaluso stated the organization has to prove themselves to the

City because the City is taking on a big risk. She voiced her concern for everyone getting a fair amount of time at the arena but that she is willing to support the venture.

Council Member Smith said he agrees that there are potentially some risks, but with risk comes opportunity. He said as someone who has utilized the arena for over 35 years, he sees this as potential for the arena and for hockey and figure skating. Council Member Smith said there will be minimal displacement for other organizations. He said he hopes this has a positive outcome and he looks forward to working with the Privateers.

Council Member Burns said she does not have a dog in this fight, nor a child that plays hockey or a daughter whom is a figure skater. She said when she was in high school she used to like to watch professional hockey but that she does not have time for that much anymore. Council Member Burns said she has had a lot of support from the community; people think this is something which will enhance the area and is a quality of life issue. Conversely, she said, she has received phone calls and has heard some concerns from the prior community regarding the Privateers. She is not concerned with that, she said, as City Council, City Staff and the City Attorney have been very forthright in discussions with the Privateers and Ms. Kirnan. She said she has full faith in the new Parks and Recreation team and she thinks everyone is going into this new relationship with eyes wide open and everyone knows what is expected. Council Member Burns said she will hope for the best and, with that said, she said she will support the agreement.

Mayor Graham concluded the discussion by saying he was enthused about the opportunity. He noted that with the mild winter the area recently had, one forgets that winters generally are long here. Through associations such as the Privateers and the increased use, not by just skaters but by spectators, that is the only way to get the political justification to make any kind of incremental improvements to that facility, he said. He noted that food concessions will have to be addressed as a result of entering into the agreement. The Mayor said it will be a tremendous opportunity and a challenge. He thanked all those involved who brought this forward; he said it brought Council together to work toward a common goal. He ended by saying he enthusiastically supports the agreement.

A D J O U R N M E N T

At the call of the chair, meeting was duly adjourned at 6:44 p.m. by motion of Council Member Macaluso, seconded by Council Member Butler and carried with all voting in favor thereof.

Amanda C. Lewis
Deputy City Clerk